

## Message Text

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ACTION EB-11

INFO OCT-01 EA-11 ISO-00 L-03 JUSE-00 AID-20 CEA-02

CIAE-00 COME-00 EUR-25 FRB-02 INR-10 IO-14 NEA-10

NSAE-00 RSC-01 OPIC-12 SPC-03 TRSE-00 CIEP-02 LAB-06

SIL-01 SWF-02 OMB-01 FTC-01 NSC-07 SS-20 STR-08 INT-08

FEA-02 PA-04 USIA-15 PRS-01 H-03 DRC-01 /207 W

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R 060911Z MAR 74

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 417

LIMITED OFFICIAL USE TOKYO 2992

E.O. 11652 N/A

TAGS: ENRG, ETRD, JA, US

SUBJ: ANTITRUST: GOJ FAIR TRADE COMMISSION ACTION AGAINST  
TWELVE OIL COMPANIES

REF: TOKYO 2689 B. STATE 044123

1. REPORTS CITED PARA 1 REF (B) TO EFFECT THAT JAPANESE  
FAIR TRADE COMMISSION (FTC) HAS FILED CRIMINAL CHARGES AGAINST  
TWELVE OIL COMPANIES ARE ESSENTIALLY CORRECT. HOWEVER,  
THESE (WITH ONE EXCEPTION) ARE DOMESTIC INDEPENDENT OIL  
REFINERS IN JAPAN. NO U.S. FIRMS WERE NAMED. LIST OF THOSE  
CHARGED BY FTC IS AS FOLLOWS: IDEMITSU KOSAN,  
OIL, TAIYO OIL, DAIKYO OIL, GENERAL OIL, KYDO OIL, KYGNUS  
OIL, KYUSHU OIL, MITSUBISHI OIL, SHOWA OIL, SHELL SEKIYU  
(SHELL SUBSIDIARY IN JAPAN), AND MARUZEN OIL. PETROLEUM  
ASSOCIATION OF JAPAN (PAJ), WHICH WAS ALSO CHARGED IN FTC  
ACTION, AGREED TO DISBAND CARTEL, BUT WE DO NOT BELIEVE THAT  
THIS WAS RESULT OF ANY FORMAL INJUNCTION.

2. U.S. FIRMS EXXON AND MOBIL, WHICH HAVE SALES OUTLETS

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IN JAPAN, WERE NOT CHARGED BECAUSE, ON BASIS OF STANDING

INSTRUCTIONS FROM THEIR HOME OFFICES, BOTH FIRMS  
DECLINED TO ENGAGE IN ANY DISCUSSIONS WITH JAPANESE  
COMPANIES REGARDING PRICE FIXING.

3. EMBOFF DISCUSSED CASE WITH FTC OFFICIAL ON FEB. 28.  
ACCORDING HIS INFORMATION, CASE NOW IN HANDS OF PROSECUTOR  
FOR FURTHER INVESTIGATION. HOWEVER, SINCE THIS IS FIRST  
CASE FTC HAS BROUGHT AGAINST PRICE CARTEL, PROSECUTOR'S  
OFFICE MAY TAKE THREE MONTHS TO DECIDE WHETHER TO PRESS  
CRIMINAL CHARGES. IF THIS DECISION MADE, CASE WOULD  
PROBABLY BE IN COURTS FOR 2 - 3 YEARS.  
SHOESMITH

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PETROLEUM, PETROLEUM PRODUCTS, PETROLEUM INDUSTRY, PRICES, CARTELS, POLICE INVESTIGATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 06 MAR 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** morefirh  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974TOKYO02992  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** n/a  
**From:** TOKYO  
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**Line Count:** 73  
**Locator:** TEXT ON-LINE  
**Office:** ACTION EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** TOKYO 2689 B. STATE 044123  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** morefirh  
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**Review Content Flags:**  
**Review Date:** 30 JUL 2002  
**Review Event:**  
**Review Exemptions:** n/a  
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**Review Transfer Date:**  
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**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ANTITRUST: GOJ FAIR TRADE COMMISSION ACTION AGAINST TWELVE OIL COMPANIES  
**TAGS:** ENRG, ETRD, JA, US  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005